

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SHEILA GREENBERG and BUDDIE GREENBERG,

Plaintiffs,

-against-

HOME DEPOT U.S.A., INC.

Defendant.  
-----X

*The Court denied for the  
removal set for the in an  
ord. opinion. See transcript.  
to ordered. D. Smith 1/31/08*  
**MOTION REMANDING THE  
ACTION TO STATE COURT**

Index No. 10675-07

07 CIV 10675

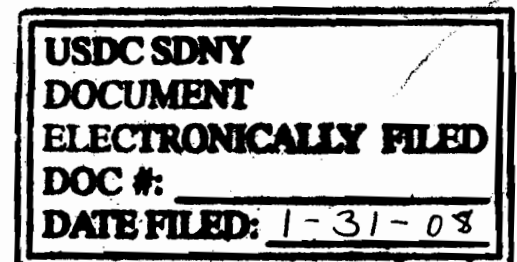
The Plaintiffs, SHEILA GREENBERG and BUDDIE GREENBERG by their attorneys,  
DAVIDSON & COHEN, P.C. hereby moves this Court for an Order remanding the above entitled  
action to the Supreme Bronx State Court from whence the action was removed, on the grounds that  
notice of removal was untimely, so that all further proceedings of the matter including the trial may  
be had in this Court of original jurisdiction.

Dated: Rockville Centre, New York  
December 12, 2007

Yours, etc.

*[Signature]*  
Janet L.H. Smitelli, Esq.  
DAVIDSON & COHEN, P.C. #1335  
Attorneys for Plaintiff  
265 Sunrise Highway  
Rockville Centre, New York 11570  
(516) 763-6700

TO: D'Amato & Lynch, LLP  
Attorneys for Defendant  
70 Pine Street  
New York, New York 10270-0110



MICROFILMED

FEB - 1 2008 12 00 PM